

**WEST VALLEY CITY
PLANNING COMMISSION**

MINUTES

April 23, 2008

The meeting was called to order at 4:00 p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Jack Matheson, Dale Clayton, and Mary Jayne Davis

ABSENT:

Terri Mills, Phil Conder, and Jason Jones

WEST VALLEY CITY PLANNING DIVISION STAFF

John Janson, Frank Lilly, Steve Pastorik, Steve Lehman, Shane Smith, Ron Weibel, and Nichole Camac

WEST VALLEY ADMINISTRATIVE STAFF:

Nicole Cottle, Deputy City Attorney

AUDIENCE

Approximately fifteen (15) people were in the audience

GENERAL PLAN CHANGE APPLICATION:

GP-2-2007

West Valley City

General Plan text change to include the Wasatch Front Regional Council's Growth Principles and Objectives

City staff requests a change to the text of the West Valley City General Plan to include the Wasatch Front Regional Council's (WFRC) Growth Principles and Objectives.

The Growth Principles are as follows:

Provide public infrastructure that is efficient and adequately maintained.

- Promote redevelopment to better utilize existing infrastructure.
- Optimize use and maintenance of existing infrastructure.
- Promote compact development consistent with market demand.
- Encourage contiguous growth to reduce infrastructure expenses.
- Develop long term funding sources for infrastructure development and maintenance.
- Encourage cooperation and coordination in the use of transportation and utility corridors and rights-of-way.

Provide regional mobility through a variety of interconnected transportation choices.

- Develop a balanced, multi-modal transportation system.
- Coordinate transportation with regional employment, housing, educational and activity centers.
- Encourage future commercial and residential areas within close proximity of each other to reduce travel distances.
- Encourage a balance of jobs and housing in each part of the region to reduce travel distances.
- Support actions that reduce growth in per capita vehicle miles of travel.

Integrate local land use with regional transportation systems.

- Land use planning and decisions remain a function of local communities.
- Preserve corridors for future infrastructure needs.
- Coordinate regional transportation with centers of development.
- Coordinate transportation decisions with schools and educational centers.
- Make land use and transportation decisions based on a comprehensive understanding of their impact on each other.

Provide housing for people in all life stages and incomes.

- Encourage an adequate supply of moderately priced housing near regional job centers.
- Encourage land use and housing policies to accommodate the need for a variety of housing types throughout the region.

- Encourage housing and other development near transit to maximize the efficiency of the public transportation system.

Ensure public health and safety.

- Encourage communities to develop transportation facilities that promote physical activity and healthy living.
- Encourage accessibility of housing to other destinations to enable the routine use of walking and bike paths.
- Provide for a safe and adequate water supply for culinary, sanitation and fire protection needs.
- Promote interconnected streets to reduce travel distances.
- Provide efficient police and emergency access.
- Provide safe access to, and use of, all modes of transportation.

Enhance the regional economy.

- Improve mobility to foster a robust economy.
- Use transportation investments and land use decisions to develop the regional economy.
- Transportation and land use decisions should lead to improved quality of life to help retain and recruit businesses and labor.
- Transportation and land use decisions should help keep our region an affordable place to live and do business.

Promote regional collaboration.

- Encourage collaboration among government, business, education, civic and community organizations.
- Coordinate development and maintenance of regionally significant utilities and transportation facilities.
- Include a broad base of involvement in the planning process.
- Coordinate local and regional planning efforts.
- Promote the sharing of information and expertise.

Strengthen sense of community.

- Preserve environmental, cultural, and historical assets.
- Promote unity and cohesiveness while valuing diversity.
- Avoid physically dividing communities.
- Use transportation to bolster town centers.

Protect and enhance the environment.

- Protect and enhance the natural environment.
- Enhance the aesthetic beauty of our built environment.
- Promote conservation of energy, water, and regionally significant critical lands.
- Enhance air and water quality.
- Encourage conservation of open space and irreplaceable natural resources in land use decisions.

- Create and enhance access to areas of natural beauty and recreation.
- Encourage community trails coordinated with regional/state trail systems.

The Growth Principles were adopted in 2005 as part of the *Wasatch Choices 2040* transportation plan developed by WFRC and the Mountainlands Association of Governments (MAG), two metropolitan planning organizations charged with coordinating long-range transportation plans. After WFRC and MAG conducted 13 public workshops held along the Wasatch Front, they developed Growth Principles that reflect considerable community input on environmental, economic, and quality of life issues.

Since March 2006, planning staff have evaluated major subdivisions and significant commercial and mixed use projects according to the Growth Principles. Furthermore, the VisionWest 2030 general plan update process has incorporated the Growth Principles as a benchmark; each stakeholder task force was given a copy of the Growth Principles as they made their recommendations.

Although in practice planning staff have used the Growth Principles extensively, they have never been formally adopted by the West Valley City Council. Staff recommends further discussion of the Regional Growth principles over the next three study sessions. The Planning Commission will have the opportunity at a later date to recommend formal adoption of the preamble and the nine growth principles in order to guide the continued development of West Valley City's general plan update.

Staff Alternatives:

1. Continuance, to further discuss the regional growth principles and their impact on land use policies in West Valley City.
2. Approval, in order to ratify current staff practice and to guide the continued development of West Valley City's general plan update.

Attachments:

1. *Growth Principles and Objectives for Transportation Planning* by the Wasatch Front Regional Council.
2. West Valley City's Growth Principles Checklist.

Applicant:

West Valley City

Discussion: Frank Lilly presented the application. Mr. Lilly recognized that the Planning Commission felt unsure about the principals and objectives and offered to present detailed information during the next 2-3 study sessions. Mr. Lilly stated that staff recommends the Planning Commission continue the application until they are confident with everything being presented.

There being no further discussion regarding this application, Chairman Woodruff

called for a motion.

Motion: Commissioner Matheson moved for continuance

Commissioner Clayton seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Chairman Woodruff	Yes

Unanimous – GP-2-2008– Continued

GENERAL PLAN/ZONE CHANGE APPLICATION:

GPZ-2-2008

Florentino Lopez

5187 West 3500 South

General Plan change from low density residential to office

Zone Change from A to RB

0.49 Acres

Mr. Florentino Lopez has submitted a General Plan/zone change application for a 0.24 acre parcel located at 5187 West 3500 South. The property is currently zoned A (agriculture, minimum lot size ½ acre) with a General Plan designation of low density residential (3 to 4 units/acre). The proposed zone is RB (residential business) and the proposed General Plan designation is office.

Surrounding zones include RB to the west and A to the north, east, and south. Surrounding land uses include an emissions and office building under construction to the west, single family homes to the south, east, and north on the other side of 3500 South.

The subject property includes an 800 square foot (not including the basement) home that was built in 1927. If this application is approved, Mr. Lopez intends to convert the existing house into an insurance office. A concept plan of proposed office and parking is attached. A permitted use application would be required to convert the house to an office and to develop the parking needed. A letter from Mr. Lopez which outlines reasons why he believes this application should be approved is attached.

The following information is provided as background to assist the Planning Commission in evaluating this application. The property is located on the southeast corner of 3500 South and 5200 West, which is a signalized intersection. Three RB zoned properties exist along 3500 South between 5200 West and 5600 West. These properties are located at 5474 West (rezoned in 1990), 5430 West (rezoned in 2007), and 5221 West (rezoned in 2002). Sometime before 2015, 3500 South is planned to be widened to 8 lanes including 2 center running BRT lanes from 4000 West to the Mountain View Corridor.

During the study session the issues of right-of-way dedication as well as the future use of the property were discussed. For right-of-way dedication, the current right-of-way width on 3500 South at this location is 80'. The right-of-way width planned on the City's Major Street Plan is 106'. Planning staff discussed the issue of requiring right-of-way dedication with Legal staff. The opinion from Legal was that the change in use together with the redesigned parking would not result in a change substantial enough to require dedication. On the issue of the future use of the property, if the Commission believes that office is an appropriate use while other allowable uses in the RB Zone would not be appropriate, a development agreement could be used to limit the future use of the property to office.

Staff Alternatives:

1. Approval of the General Plan/zone change.
2. Continuance, for reasons determined during the public hearing.
3. Denial, residential use is more appropriate where there are residential uses on three sides.

Applicant:

Florentino Lopez

Opposed:

Jeanne McMichael
3525 S. 5200 W.

Opposed:

Carl Newland
5173 W. 3500 S.

Discussion: Steve Pastorik presented the application. Mr. Pastorik read the list of permitted uses and conditional uses allowed in the 'RB' zone from the ordinance. Commissioner Matheson stated that the general plan anticipates additional businesses along 3500 South but the current general plan does not call for office use right now.

Gene McMichael, a neighbor, expressed concern that there is not enough space for parking at this location and is worried people will park in front of her home as a result. Ms. McMichael also shared her frustration that people can see into her property which raises concern of crime and vandalism. She added that she is against this application but if it is approved, she would like a wall between the properties to maintain privacy and reduce the risk of crime.

Carl Newland, another neighbor, stated that the widening of 3500 and the introduction of BRT creates parking concerns and the proposal of this business increases the possibility of a problem. Mr. Newland added that he would also like a wall for privacy and safety and requested that curbing be introduced to fix drainage problems.

Chairman Woodruff questioned if the applicant will be required to put a wall around his property. Steve Pastorik replied that the ordinance states that the City can require that a wall be installed. Mr. Pastorik added that if this application is approved, the City requires adequate parking and the submittal of an effective drainage plan. Commissioner Davis stated that she understands the parking problem this area experiences and expressed concern with this property in relation to 5200 West. Steve

Pastorik explained possible parking configurations that meet City requirements and stated that there would be no backing out onto 5200 West. Chairman Woodruff asked if there would be access to 3500 South. Steve Pastorik replied that this is not an option and UDOT would likely not allow it. Commissioner Fuller asked if 'RB' zones always require conditional use applications. Mr. Pastorik replied that professional offices are permitted uses in the 'RB' zone. Commissioner Fuller asked how the Planning Commission can guarantee the drainage and fence issues will be appropriately addressed. Mr. Pastorik explained that the fence problem can be addressed in a development agreement but drainage solutions are already required by the City. Commissioner Matheson stated that this property feels like it belongs in a residential zone and added that this business could find a better location along 3500 South somewhere else.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Clayton moved for denial because the proposed use does not fit with the surrounding environment

Commissioner Davis seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Chairman Woodruff	Yes

Unanimous – GPZ-2-2008– Denied

ZONE CHANGE APPLICATION:

Z-4-2008

West Valley City

1203 West 3300 South

MXD to C-2

0.78 acres

West Valley City staff is requesting a zone change for a 0.78 acre parcel at 1203 West 3300 South from MXD (mixed use) to C-2 (general commercial). Surrounding zones include MXD to the south and west and C-2 to the north and east. Surrounding land uses include the Village at River's Edge mixed use project to the south and west and vacant ground to the east and north. The subject property is designated as mixed use or general commercial in the West Valley City General Plan. The subject property is also within the Jordan River Overlay Zone.

The subject property falls within the Village at River's Edge project. Prior to the approval of the Village at River's Edge project, the Colosimo's (developers) worked with the City to enter into a purchase agreement to purchase land owned by the City's Redevelopment

Agency along the eastern portion of the project. The approved plan for the Village at River's Edge shows a restaurant on the subject property. However, the Colosimo's tried to find a restaurant user for the parcel and were unsuccessful. Hence, the Colosimo's never purchased this portion of the Redevelopment Agency's property. The Redevelopment Agency still owns the subject parcel and is now trying to sell it.

Under the current MXD Zone, the development plan approved for the Village at River's Edge is considered an integral part of the zoning regulations. Any substantial variation to the development plan, such as a change in use, requires a review and recommendation from the Planning Commission and approval from the City Council. By rezoning the property to C-2, the Redevelopment Agency can sell the property for a commercial use other than a restaurant.

If the property is rezoned to C-2, the City has several mechanisms in place to ensure a quality development. The Jordan River Overlay requires any new development in the overlay to be processed as a conditional use. Also, the Jordan River Overlay prohibits the following uses: automobile sales and service, convenience stores, fast food with drive-up windows, motor fuel sales, recreational vehicle sales, billboards, pole signs, self-storage facilities, hardware stores, office warehouses, bail bonds, pawn shops, check cashing, payday loans, car title loans, tattoo establishments, and sexually-oriented businesses. The commercial design standards would apply to the building and site design. Since the Redevelopment Agency owns the property, the City can screen out any undesirable uses through a purchase agreement. While the use may not end up being a restaurant, another commercial use will still help add to the mix of uses within the overall Village at River's Edge project.

Staff Alternatives:

- Approval, the rezone request complies with the General Plan.
- Continuance, for reasons determined at the public hearing.
- Denial, the MXD Zone should remain.

Applicant:

West Valley City

Discussion: Commissioner Matheson expressed concern about the possibility of a permitted use. Steve Pastorik explained that everything will be a conditional use at this location because of the overlay zone. Commissioner Clayton stated he is uncomfortable changing the zone preemptively when no reason for a change has been promoted. Mr. Pastorik explained that the City owns the property and it is difficult to sell as a restaurant. This zone change will allow more uses into the area and will attract potential buyers.

Ralph Lee, member of the RDA Department at West Valley City, explained the original plan for the property and the failure to attract a restaurant to the location. Mr. Lee explained that this will allow the City to sell to someone who will ensure that a

positive development is introduced. He added that the power of the overlay ensures that it's a conditional use and if the City doesn't like a proposal from a developer, it can be refused.

Commissioner Matheson explained that he doesn't understand why the zoning needs to be changed. He stated that retail and other uses are allowed in the mixed use zone. Mr. Pastorik explained that the only approved use at this location is a restaurant so anything else will need to take an extra step through the Planning Commission and City Council. Mr. Pastorik added that the zone change will take some of the uncertainty away from prospective buyers. Chairman Woodruff asked if the City is actively trying to develop the north side. Ralph Lee explained that the RDA Department is requesting developers and this will be due June 26, 2008. Chairman Woodruff stated that he is not worried about this particular location but is more concerned about access issues. Ralph Lee replied that he is working through these problems.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Fuller moved for approval

No one seconded the motion. Chairman Woodruff called for another motion.

Motion: Commissioner Matheson moved for denial because the zone change is unnecessary.

Commissioner Clayton seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Chairman Woodruff	No

Majority – Z-4-2008– Denied

Z-5-2008
West Valley City
3327 West 3500 South
R-1-8 to C-2
0.12 acres

West Valley City staff is requesting a zone change for a 0.12 acre parcel at 3327 West 3500 South from R-1-8 (single family residential, minimum lot size 8,000 square feet) to C-2 (general commercial). Surrounding zones include C-2 to the north and east and R-1-8 to the west and south. Surrounding land uses include commercial uses to the north and east and single family homes to the west and south. The subject property is designated as general

commercial or medium density residential (6 to 10 units/acre) in the West Valley City General Plan.

UDOT recently purchased the subject property due to the impacts of the widening of 3500 South planned to begin later this year. The existing home on the property will be demolished. In staff's opinion, the remaining property, which would be about 46' wide, is not practical or desirable for a single family home lot given the required setbacks for a corner lot and the proximity to the future 8 lane road. After meeting the required side setbacks (assuming a house facing west), only about 16' of width would be left to build a home on.

The owner of the commercial property to the east is interested in purchasing the subject property from UDOT to develop additional parking to help offset UDOT impacts to existing parking. A copy of the concept plan is attached. If this rezone application is approved, the owner of the property east of the subject property will need to submit a conditional use amendment application to obtain approval for the amended parking design.

According to State law, UDOT is not allowed to apply for a zone change on property they acquired. Hence, to facilitate the reuse of the unused UDOT property, City staff initiated this application.

UDOT has also acquired the parcel directly west of the subject property. The address of this parcel is 3508 South 3340 West. The owner of the business west of this property is also interested in utilizing the excess UDOT property for parking. The City will likely initiate another rezone application for the property at 3508 South 3340 West.

Staff Alternatives:

- Approval, the rezone request complies with the General Plan.
- Continuance, for other reasons determined at the public hearing.

Applicant:

West Valley City

Neutral:

Frankee Swanson
3515 S. 3340 W.

Discussion: Steve Pastorik presented the application. Frankee Swanson, a neighbor, stated that she is not against this application but wants to ensure that there will be no access issues that affect her or her neighborhood. Steve Pastorik explained that this has not been addressed but the land owner has proposed a one way exit from the west side of the property. Ms. Swanson added that UDOT has told her they will put a sound barrier at her property. Chairman Woodruff stated that a wall is not shown on the south side of the new building on the site plan. Steve Pastorik replied that a conditional use amendment will need to be filed to facilitate these changes and the wall will be discussed at this time. Commissioner Matheson stated that it doesn't make sense to have this portion remain residential.

There being no further discussion regarding this application, Chairman Woodruff

called for a motion.

Motion: Commissioner Matheson moved for approval

Commissioner Davis seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Chairman Woodruff	Yes

Unanimous – Z-5-2008– Approved

SUBDIVISION APPLICATIONS:

SV-6-2008

3131 West 3180 South

BACKGROUND

Mr. Lloyd Layton, is requesting consideration to vacate an unimproved alley at approximately 3131 West 3180 South. The purpose for the vacation is to provide additional land for a future detached accessory structure on Mr. Layton's property.

The alley to be vacated is located between lots 529 and 530 of the Hillsdale #5 Subdivision. This plat was recorded with the Salt Lake County Recorder's Office in March 1955. As part of this plat, a 6-foot alley was situated between the above mentioned lots. Staff believes that the alley was provided as a means to access the County Park immediately to the south.

From staff's observance, the alley has never been improved. However, an access gate was installed in the existing chain link fence. This gate would likely have been installed when the subdivision was platted. An existing tree is located in what would be the middle of the alley.

Vacating the alley would not adversely affect adjacent residents as the alley was never installed or used for access to the County Park. Each adjacent property owner will end up with 3 feet. Mr. Layton has expressed interest in acquiring the eastern 3-feet if the ordinance is approved by the City Council. Mr. Layton would be responsible to coordinate this issue with the adjacent land owner.

According to City ordinance, streets and/or alley vacations shall be reviewed by the Planning Commission with a recommendation to the City Council.

RECOMMENDATION

1. Approval of the alley vacation.
2. Continue the application due to issues raised at the public hearing.

Applicant:

Lloyd Layton
3131 W. 3180 S.

Discussion: Steve Lehman presented the application. The applicant, Lloyd Layton, explained that he purchased the property in 1973 with the existing fences already built. He explained that he had no knowledge that the easement was there. Mr. Layton stated that he would like to put a detached garage in his backyard and he needs the alley vacated in order to acquire the appropriate amount of space to meet City requirements.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Fuller moved for approval

Commissioner Clayton seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Chairman Woodruff	Yes

Unanimous – SV-6-2008– Approved

PUD-6-2007

Chesterfield Cottages – Final Plat
1483 West 2320 South
RM Zone
22 Units
2.3 Acres
9.5 U/A

BACKGROUND

Richard Wright, representing Edmiston Homes, is requesting final plat approval for the Chesterfield Cottages PUD. The subject property is approximately 2.3 acres in size and is bordered by existing development on the east and south. The Center Pointe Hollow PUD to the west is now under construction.

The subject property was rezoned in May 2007 from the A zone to the RM zone. Preliminary approval was granted in October 2007. The proposed plat and building elevations incorporate all design criteria outlined in the development agreement.

STAFF/AGENCY COMMENTS:

Public Works Department:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures.
- Contact Salt Lake County Auditor's Office for approval of street names and subdivision name.
- Revisions to plat required.
- Dedication and improvements required along 2320 South.
- Follow recommendations outlined in the soils report.

Building Division:

- Follow recommendations outlined in the soils report.

Utility Companies:

- Standard Utility Easements required.
- Developer will need to coordinate with utility companies regarding easements.

Granger Hunter Improvement District:

- Project is subject to all GHID requirements and design standards.

Fire Department:

- Project shall meet all provisions of Fire Code relating to this type of development.
- Review of hammerhead configuration needed.

ISSUES:

The developer is requesting final plat approval for the Chesterfield Cottages. The proposed development consists of 22 units on 2.3 acres. Proposed housing will be comprised of town home units and will have common, limited common and private spaces. Each unit will have a two car garage and private rear yard space. The minimum dwelling size for all units will be 1,700 square feet.

Access to the subdivision will be gained from 2320 South. Although this development can work without the need for secondary access, a stub street from the Center Pointe Hollow development to the west has been provided. This connection

would allow secondary access should the Fire Department need it and would also provide connectivity from one neighborhood to the other. After discussing this issue with both developers, they agree that leaving it open for the present time is the appropriate thing to do. If in the future, this access proves more problematic than beneficial, it could be closed.

Although proposed housing units will not have basements, the developer has submitted a soils report. This report indicates that ground water was encountered at a depth of 4 feet. Proposed dwelling units will be slab on grade so water elevations should not be a problem.

During the preliminary review, the Planning Commission evaluated the multiple family design standards. It was determined that for the most part, the proposed elevations meet the design ordinance. However, the Planning Commission expressed concerns regarding the rear elevations as seen from the street. In order to address this concern, as well as others, the developer is proposing the following:

1. Garage doors will be colored and will include windows and patterns as illustrated on the elevation sheet.
2. Elevations that are adjacent to 2320 South, and those that are visible from the street and open space areas will have a full wainscot on the side elevation.
3. All dwellings shall have laminated architectural shingles.
4. Rear elevations will have a gable pop-out.

The development will be managed by a Home Owner's Association. It is staffs understanding that the Association will be responsible to maintain the private street, all yard spaces and open space areas. Staff has expressed concern about past projects being turned over to an uneducated association or projects that are turned over to the association without all development items being completed. Although the development agreement does not address this issue, staff will recommend that the developer, HOA, and staff meet before the project is transferred to the Association to ensure that all development items have been completed

The developer is proposing that 40% of this site will be open space as required by ordinance. Of that percentage, approximately 10,500 square feet will be used for recreational opportunities. The developer will be constructing various tot lots, pavilions, benches and a sports court. Formal plans for these improvements have been submitted. Formal landscape plans have yet to be submitted, but will be required prior to City Council review.

The developer will be fencing a portion of the east side with a vinyl fence. Fencing along the west boundary will be installed by the Center Pointe Hollow developer. The remaining site has been fenced by the Red Oaks developer. Although fencing was not included in the development agreement, staff would suggest that perimeter fencing match the new fence of the Center Pointe Hollow PUD including any fencing between units.

STAFF ALTERNATIVES:

- A. Grant final plat approval for the Chesterfield Cottages subject to the following conditions:
1. That the developer resolve all staff and agency concerns.
 2. That the Planned Unit Development be guided by the approved development agreement. Said agreement shall also be incorporated into the CCR's of the development.
 3. That the City be provided information regarding the proposed CCR's. The developer shall address maintenance issues regarding garbage collection and management of the site. In addition, before the project is turned over the HOA, the developer, staff and HOA shall meet to determine that the project is ready to be turned over.
 4. Building elevations shall be those submitted by the developer and approved by the Planning Commission during the April 23, 2008 meeting.
 5. Setbacks for all dwellings shall be in accordance with the plat layout.
 6. Building materials shall consist of 100% masonry products. Additional materials may be added for accent treatments, but shall be reviewed by staff. Colors shall be varied between buildings with no two adjacent buildings having the same color.
 7. That all recommendations outlined in the soils report be followed.
 8. That the entry feature referenced by the development agreement be reviewed and approved by the Planning Commission.
 9. That the developer and/or builder install all landscaping in the development. Said landscaping shall be installed prior to occupancy or be bonded for. The overall landscape plan shall include the following:
 - a. Specifications regarding planting and tree sizes shall be provided. All trees shall be at least 2 inches in caliper. Evergreen trees shall be at least 6-8 feet in height.
 - b. That rear yard landscaping be incorporated into the plan.
 - c. That the landscape plan incorporate the playground and pavilion areas.
 - d. That the landscape plan be in accordance with the City's water conservation ordinance.
 10. That 2320 South be dedicated and improved in accordance with plan and profiles approved by the Public Works Department.

11. That each garage be sufficient enough in size to accommodate the garbage can. In addition, the developer will need to coordinate garbage collection independent from City services.
 12. Any perimeter fencing shall match the fence of the Center Pointe Hollow PUD to the west. This will include any fencing between units.
- B. Continue the application based on reasons determined at the public hearing.

Applicant:

Richard Wright
3420 S. 2130 E.
Salt Lake City, UT 84111

Discussion: Steve Lehman presented the application. Commissioner Matheson asked if hardie plank is considered to be a masonry product. Mr. Lehman replied that it is. The applicant, Richard Wright, stated that he is looking forward to finalizing this project and is open to answer any questions. The Planning Commission had no issues to discuss.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Clayton moved for approval subject to the 12 staff Alternatives.

Commissioner Davis seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes

Unanimous – PUD-6-2007– Approved

S-16-2008

**West Valley Pavillion Subdivision
5600 West Parkway Blvd.
C-2 & RM Zones
7 Lots & Remainder Parcel
34.6 Acres**

BACKGROUND:

Chris Hudon, of CLC Associates, representing the property owner, is requesting preliminary and final plat approval for the West Valley Pavillion Subdivision. The subject property is located on the northwest corner of 5600 West Parkway Boulevard.

ISSUES:

The proposed subdivision is being requested in order to divide the existing property into various commercial building lots. A remainder parcel will also be created to the west for future residential development. The subdivision plat will provide dedication along Parkway Boulevard and will also accomplish the dedication a new City street that will divide the commercial uses from the future residential uses to the west.

Access will be gained by 5600 West, Parkway Blvd., and from the new City street to the west. The developer will be responsible to coordinate access from 5600 West with UDOT. This matter will be resolved as part of the conditional use permit. As required during the rezone application and conditional use process, the developer will be required to submit a traffic study. The study will need to account for all of the land uses within the entire subdivision boundary

The lot configurations have been established to accommodate various commercial buildings and uses. To date, the Planning Commission has evaluated lot 1 and 2 regarding the Winco development. The remaining lots will be evaluated as conditional use applications in the future.

The subdivision is located within the 5600 West Overlay Zone. As such, all development will comply with the landscaping, streetscape and architectural requirements set forth in section 7-22-400, of the West Valley City Code. As future development will undergo a conditional use process, those ordinances will be evaluated by the Planning Commission.

A 10' trail system with a 5-foot parkstrip will be required along the north side of Parkway Boulevard and on one side of the new City road to the west. The other side of the City road will have a 5-foot sidewalk and a 5-foot parkstrip. The design of this roadway will be coordinated with staff and the City Engineering Division.

During the study session, a question was asked about the bridge over the Riter Canal. Although the new City street will align with the right-of-way in the CABCO Subdivision to the north, a decision regarding the bridge has yet to be reached. The question is not whether a bridge will be built, but when and by whom and who will pay for it. The property upon which the bridge would be constructed is not within the boundary of this plat, or the owner of the CABCO Subdivision to the north. City staff has already begun the process to determine what the best approach will be to make this connection.

Staff and agency comments have or will be more thoroughly addressed as part of the conditional use and/or permitted use processes. The subdivision plat will contain easements and other information applicable to the division of property.

STAFF ALTERNATIVES:

1. Approve the West Valley Pavillion Subdivision subject to a resolution of staff and agency comments.
2. Continue the application in order for the developer to address the Planning Commissions concerns.

Applicant:

Chris Hudon
420 E. South Temple
Salt Lake City, UT 84111

Discussion: Steve Lehman presented the application. Commissioner Clayton asked if any progress has been made on building the bridge and if there is any way to push this project forward. Mr. Lehman explained that options are being investigated and coordinated with the applicants and attorneys. He added that WinCo will require a traffic report and this may generate more information. Commissioner Clayton stated that from his experience in a financial field, it is routine for a City to aggressively force the applicant to resolve a problem like this. Nicole Cottle stated that this is illegal and is not something West Valley City condones. Chairman Woodruff asked the applicant, Chris Hudon, what his feeling is toward the building of this bridge. Mr. Hudon stated that there is economic value in the project and added that if the City can move forward with a reasonable solution, his company will be willing to participate.

Commissioner Matheson questioned why the southern lots are not rectangular. Mr. Hudon explained that a roadway connection is being proposed at this location and a couple lots will be circulated around this potential roadway.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Fuller moved for approval.

Commissioner Matheson seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Chairman Woodruff	Yes

Unanimous – S-16-2008– Approved

CONDITIONAL USE APPLICATIONS:

C-14-2008
SG Tax Service

**4085 South 4000 West
RM Zone (0.72 acres)**

Luis Coronado is requesting a conditional use permit for a tax accounting business for property located at 4085 South 4000 West. The property is zoned RM, as are the two properties to the north along 4000 West as well as several properties to the south across 4100 South. Across the street to the west the property is zoned C-1 and the adjacent property to the east is zoned RB. The General Plan anticipates Office use on this property. The previous use of the property was a daycare center. The use directly to the north is residential and north of that property is a day care center. The use to the immediate east is a financial/tax service.

This property's use as a professional office requires 1 parking space per 250 square feet of building gross floor area. With a building of 4452 square feet, the lot needs to accommodate 17 vehicles, which the site plan meets, but are not currently laid out or striped. The hard surfacing is in poor shape and will need replacement, but is deemed acceptable at present for its proposed use in this application. Also required is a solid visual barrier; a 6 foot masonry screen (measured from the parking lot asphalt grade) separating this parking lot from the residential use directly to the north, which this site does not presently contain.

Following a site visit on April 8th, 2008, staff recommends the following conditions of approval:

1. The drive aisle and entrance/exit to the property from 4000 West (northwest end of property) must meet the 20 foot width per West Valley City Fire Code for emergency vehicle access.
2. Parking lot lay out and striping as per approved site plan.
3. Repair or replace all broken or boarded up windows and doors:
 - Broken window on South side of building
 - Boarded Door North East corner (East Side) of building
 - Four (4) boarded windows on North side of building
4. Repair existing light posts on property.
5. Repaint, remove or replace the existing monument sign box on the southwest corner of the lot. If the sign is replaced it shall have the same dimensions, and its base shall be made of masonry that matches the building.
6. Improve and maintain weed-free landscaping on all permeable areas of the property
7. Remove all trash and play equipment from the former day care play area on the east side of the building. All permeable ground (including sand) in this area will be attractively landscaped with sod and plants. The existing hard surfacing may remain in place, with physical barriers maintained (if the fence on this end is removed) separating vehicle traffic in the parking lot from this area. This area shall be maintained free of trash and weeds.

8. Establish and maintain a masonry wall at 6 feet in height (measured from the asphalt parking lot) along the north property line, separating this property from the residential property to the north.
9. Two (2) trees shall be planted and maintained on the property within the landscaped setback along 4100 South. One of these will be planted 20 feet to the west of the edge of the asphalt driveway at 10 feet to the south of the sidewalk. The other will be planted 20 feet to the east of the southeast corner of the building at 10 feet to the north of the sidewalk. The tree variety(ies) will be selected from the list in 7-13-103, West Valley City Municipal Code.
10. Prior to the addition of parking lot lighting, a proper lighting study, which ensures all light is deflected away from adjacent residential properties, will be submitted to the Community & Economic Development department for review and approval.
11. Prior to any renewal of hard surfacing on the property (parking lot, driveways, etc.), a proper engineering study will be submitted to the West Valley City Public Works and Community & Economic Development departments detailing water drainage. Following review and approval, the installation of hard surfacing shall meet the requirements of the Public Works Department concerning drainage.

Staff Alternatives

1. **Approval**, subject to the 11 conditions recommended by staff.
2. **Continuance**, until the drive aisle and entrance/exit on the northwest end of the property off of 4000 West meets the 20 foot width required for emergency vehicle access.
3. **Continuance**, to obtain and review a drainage engineering study and/or lot lighting study by property owner.
4. **Continuance**, for reasons determined through the public hearing.

Applicant:

Luis Coronado
4330 West 3500 South
Suite B

Discussion: Shane Smith presented the application. Commissioner Matheson stated that the Planning Commission needs questions answered by the applicant who was not there. Chairman Woodruff asked what problems would be resolved by the applicant's presence. Commissioner Matheson replied that he would like the applicant to commit on renewing the hard surfacing. Chairman Woodruff stated that this can be required as a condition subject to approval.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Matheson moved for approval subject to the 11 staff conditions and modifying condition 11 to include that hard surfacing *must* be renewed.

Commissioner Clayton seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Chairman Woodruff	Yes

Unanimous – C-14-2008– Approved

C-15-2008

C. R. England, Inc.

4701 West 2100 South

M Zone Approx. 1 Acre

C. R. England, Inc. is requesting an amendment to their existing conditional use for a four story, 90,000 square foot office addition on their property at 4701 W. 2100 S. This property is zoned manufacturing (M) and is surrounded by manufacturing zoning and industrial uses. The West valley City General Plan designates this area as manufacturing and the trucking company on this property is consistent with surrounding uses.

The plans submitted show a four story office addition directly to the south of the existing building that will have the same look as the existing building. As part of the new construction, C. R. England is also going to change the existing entrances in the front of the building on 2100 South to create a main entrance/lobby. The new building will be constructed in an area that is currently used for employee and driver parking. Although the overall site could accommodate their parking needs by moving the driver parking further south, C.R. England is in the process of purchasing property directly to the east from Honeywell Electronic Materials, Inc. A portion of this new property will be developed to provide 305 parking stalls that will be used during construction. This new parking area will have interior landscaping to meet the requirements of City ordinances.

Staff Alternatives:

- Approval, subject to the resolution of any issues raised at the public hearing and the following conditions:
 1. All requirements of other departments and agencies must be met.
 2. New building elevations shall match those of the existing building.
 3. The new parking lot on the east side of the property shall have interior landscaping installed as shown on the submitted plans.

- Continuance, to allow for the resolution of any issues raised at the public hearing.

Applicant:

Keith Wallace
4701 W. 2100 S.

Discussion: Ron Weibel presented the application. Commissioner Fuller questioned if the right of way creates a problem with Honeywell. Mr. Weibel replied that it doesn't.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Davis moved for approval subject to the 3 staff alternatives.

Commissioner Clayton seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Chairman Woodruff	Yes

Unanimous – C-15-2008– Approved

PLANNING COMMISSION BUSINESS

Approval of minutes from January 2, 2008 (Study Session) **Approved**

Approval of minutes from April 2, 2008 (Study Session) **Not Reviewed**

Approval of minutes from April 9, 2008 (Regular Meeting) **Not Reviewed**

There being no further business, the meeting adjourned at 5:30 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant